

The Office Action of April 21, 2006 sets forth a restriction requirement between Group I (Claims 1-17) drawn to a system for controlling a set of material carriers in real time; and Group II (Claims 18-20) drawn to a method of exchanging data between a set of material carriers. As indicated in the response of May 12, 2006, Applicants provisionally elect, with traverse, Group I (Claims 1-17) for prosecution on the merits of this application. In addition, Applicants withdraw from consideration Group II (Claims 18-20), as being drawn to a non-elected invention.

According to the Examiner in the Office Action of April 21, 2006, the inventions are distinct because Inventions I and II are related as process and apparatus for its practice. In addition, Invention I requires a set of path marking references disposed along the path which is not required in Invention II.

As indicated in the response of May 12, 2006, it is respectfully submitted that the requirement for restriction between the claims of Group I and Group II is improper and should be withdrawn. All of the claims now pending in this application should be examined at this time.

Applicants respectfully submit that the claims as filed relate to a system for controlling a set of material carriers in real time under control of a master controller as well as to a method of exchanging data between said set of material carriers under control of said master controller. Thus the two allegedly distinct inventions on which the requirement for restriction is based should, in fact, be examined simultaneously. Although the Examiner considers the application to contain different inventions, Applicants respectfully submit that there would be no hardship or extra burden in examining both groups of claims at once. Accordingly, withdrawal of the restriction requirement and examination of all claims presented in the application are respectfully requested.

Notwithstanding the foregoing arguments, and as indicated in the response of May 12, 2006, Applicants elect the species forming Group Ai, Bi and Ci. These include the following embodiments:

Ai – a system for controlling a set of material carriers that senses its location by reading markers. The claims readable on the elected species Ai include Claims 1, 2, 3, 4, 6, 7, 11 and 12; and

Bi – a system for controlling a set of material carriers with coaxial cable extended conductor. The claim readable on the elected species Bi include Claim 5.

Ci – a system for controlling a set of material carriers that communicates with a set of zone controllers through separate addresses for each zone. The claim readable on the elected species Ci include Claim 8.

Upon allowance of a generic claim, Applicants respectfully request consideration of all claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claims as provided by 37 C.F.R. § 141.

Applicants expressly reserve the right under 35 U.S.C. § 121 to prosecute the nonelected subject matter by way of a separate divisional application.

In view of the foregoing, early and favorable consideration of the claims of the application is respectfully requested.

Respectfully submitted,



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